

ORIGINAL



0000016912

RECEIVED

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

2005 FEB 28 A 11: 18

Arizona Corporation Commission 25 GE

DOCKETED

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

AZ CORP COMMISSION
DOCUMENT CONTROL

FEB 28 2005

DOCKETED BY

KA

IN THE MATTER OF THE APPLICATION OF
JOHNSON UTILITIES COMPANY, L.L.C. FOR
AN EXTENSION OF ITS EXISTING
CERTIFICATE OF CONVENIENCE AND
NECESSITY FOR WATER AND WASTEWATER
SERVICE.

DOCKET NO. WS-02987A-04-0288

THIRD
PROCEDURAL ORDER

BY THE COMMISSION:

On April 14, 2004, Johnson Utilities Company, L.L.C. ("JUC" or "Applicant"), filed an application for an extension of its Certificate of Convenience and Necessity ("Certificate") with the Arizona Corporation Commission ("Commission") to provide public water and wastewater utility service to various parts of Pinal County, Arizona.

On May 13, 2004, pursuant to A.A.C. R14-2-411(C), the Commission's Utilities Division ("Staff") issued a notice of insufficiency to JUC.

On January 5, 2005, pursuant to A.A.C. R14-2-411(C), Staff issued a notice of sufficiency.

On January 12, 2005, by Procedural Order, a hearing was scheduled on March 24, 2005.

On January 21, 2005, Diversified Water Utility, Inc. ("Diversified") filed an application to intervene in the proceeding stating that it had a competing application pending in Docket No. W-02859A-04-0844.

On January 25, 2005, JUC filed its opposition to Diversified's application to intervene and stated that Diversified's application with respect to Docket No. W-02859A-04-0844 is for a different area than the area which JUC is seeking in this proceeding.

On January 27, 2005, Staff filed its response in opposition to Diversified's application to intervene and stated that, after its review of the area sought to be certificated by JUC herein, Diversified's application in Docket No. W-02859A-04-0844 did not involve the same area and Diversified's application to intervene should be denied.

On February 2, 2005, by Procedural Order, Diversified's application to intervene was denied.

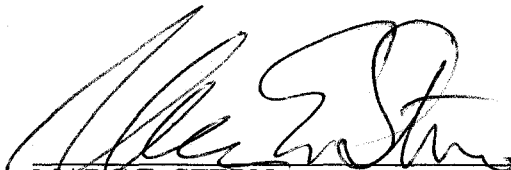
On February 24, 2005, Staff filed what was captioned "Motion to Continue" ("Motion") the due date for the filing of the Staff Report from February 25, 2005, to March 4, 2005. Staff indicated that JUC does not oppose the Motion.

Accordingly, Staff's Motion should be granted.

IT IS THEREFORE ORDERED that the Motion of Staff to delay the filing of its Staff Report until March 4, 2005, is hereby granted.

IT IS FURTHER ORDERED that the presiding Administrative Law Judge may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 28th day of February, 2005.


MARC E. STERN
ADMINISTRATIVE LAW JUDGE

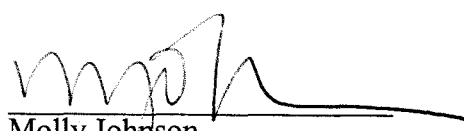
Copies of the foregoing mailed/delivered this 28th day of February, 2005 to:

Jay L. Shapiro
Patrick J. Black
FENNEMORE CRAIG
3003 N. Central Avenue, Ste. 2600
Phoenix, AZ 85012
Attorneys for Johnson Utilities Company,
L.L.C.

Christopher Kempley, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

Ernest Johnson, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

By:


Molly Johnson
Secretary to Marc Stern